

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff,

Criminal No. 22-mj-30185

v.

Zijad Balic,

Defendant.

/

**MOTION AND BRIEF FOR LEAVE TO  
DISMISS COMPLAINT WITHOUT PREJUDICE**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America hereby moves for leave to dismiss without prejudice the complaint against Zijad Balic. In this case, the government needs additional time

- 1) to develop and obtain evidence sufficient to establish defendant's guilt beyond a reasonable doubt;
- 2) to investigate the full extent of the offenses in question and identify all other individuals who should be held criminally responsible for the offenses; or
- 3) to decide whether criminal prosecution of defendant for the offenses in question is in the public interest.

*See generally United States v. Lovasco, 431 U.S. 783,790-96 (1977); 18 U.S.C. § 3161(d)(1).* The government's ability to prosecute this case properly would be substantially impaired were it required to proceed to indictment or information within the 30-day period prescribed by the Speedy Trial Act, *see* 18 U.S.C. §§

3161(b), 3161(h). Accordingly, the government requests leave to dismiss the complaint without prejudice.

Respectfully submitted,

DAWN N. ISON  
United States Attorney

s/Thomas Franzinger  
Thomas Franzinger  
Assistant United States Attorney  
211 W. Fort Street, Suite 2001  
Detroit, MI 48226  
Thomas.Franzinger2@usdoj.gov  
(313) 226-9774

Dated: May 5, 2022

CERTIFICATE OF SERVICE

I hereby certify that on May 5, 2022, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/Thomas Franzinger  
Thomas Franzinger  
Assistant United States Attorney  
211 W. Fort Street, Suite 2001  
Detroit, MI 48226  
Thomas.Franzinger2@usdoj.gov  
(313) 226-9774